

Message Text

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ACTION ARA-14

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E.O. 11652: N/A
TAGS: SHUM, AR
SUBJECT: IMPRISONMENT OF HORACIO OSCAR SARAGОВI (269//78/1)

H PASS: HONORABLE H. JOHN HEINZ III
UNITED STATES SENATE
WASHINGTON D.C.

1. THANK YOU VERY MUCH FOR YOUR LETTER OF FEBRUARY 27, 1978
REGARDING THE IMPRISONMENT OF HORACIO OSCAR SARAGОВI. I READ
YOUR LETTER TO MINISTER OF INTERIOR HARGUINDEGUY WITH INTEREST.
I BELIEVE YOUR EXPRESSION OF CONCERN IN THIS CASE WILL BE
HELPFUL.

2. I HAVE MET WITH MR. AND MRS. SARAGОВI TO DISCUSS THEIR
SON'S TRIAL AND HIS APPEAL OF THE MILITARY COURT'S DECISION
TO THE ARGENTINE SUPREME COURT. THE MILITARY COURT OF
APPEALS HAS RECENTLY CONSENTED TO ALLOW SUPREME COURT REVIEW
OF THE CASE AND HAS SENT FORWARD THE COMPLETE CASE RECORD.
THE SUPREME COURT MUST NOW DECIDE WHETHER IT WILL ACCEPT
JURISDICTION OVER THE MATTER.

3. A MEMBER OF MY STAFF RECENTLY DISCUSSED THE SUPREME COURT
APPEAL WITH MR. SARAGОВI. ACCORDING TO HER, THE FAMILY'S
LAWYERS BELIEVE THAT THEIR CASE IS VERY STRONG AS THE FACTS
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ARE UNDISPUTED THAT MR. SARAGОВI WAS DENIED LEGAL COUNSEL,
THE RIGHT TO PRESENT WITNESSES AND THAT THE LAW OF MINORS
WAS NOT APPLIED. HOWEVER, THE FAMILY'S ATTORNEYS ARE CONCERNED
THAT THE POLITICAL AND PRECEDENTIAL IMPACT OF A
FAVORABLE DECISION IN THE SARAGОВI CASE ON THE MILITARY
JUSTICE SYSTEM WILL INFLUENCE THE ULTIMATE DECISION.

4. AS A FORMER JUDGE AND PROSECUTING ATTORNEY, I AM PERSONALLY
INTERESTED IN THIS CASE. I WILL CONTINUE TO KEEP YOU INFORMED
REGARDING ANY FUTURE DEVELOPMENTS.

5. SINCERELY YOURS, RAUL CASTRO, AMBASSADOR.

6. DECONTROL UPON RECEIPT.
CASTRO

NOTE BY OC/T: TELEGRAM DELAYED IN TRANSMISSION.

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